

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 95-110-C - ORDER NO. 95-1009 /
MAY 3, 1995

IN RE: Proceeding to Consider Measured) ORDER GRANTING
Rate Service on Local Calls) MOTION TO WITHDRAW
Originated from Pay Telephones) AND CLOSE DOCKET
Located in Confinement Facilities) WITHOUT PREJUDICE
in South Carolina.)

This matter comes before the Public Service Commission of South Carolina (the Commission) on the April 26, 1995 Motion of Pay-Tel Communications, Inc. (Pay-Tel) to withdraw from the above referenced proceeding and close the docket without prejudice.

In support of this Motion, Pay-Tel states that in August, 1994, the Commission established Docket No. 94-473-C which examined allowing time limits to be placed on local calls originating from Local Exchange Carrier's (LEC's) and privately owned pay telephones in South Carolina. On December 21, 1994, Pay-Tel filed a Motion seeking to establish a related docket to consider whether these same time limits should be applied to automated collect-only local calling from confinement facilities. This Motion was granted, and this Docket was established. On February 24, 1995, the Commission issued Order No. 95-365 in Docket No. 94-473-C, in which it was found to be in the public interest to allow Local Exchange Companies and independent payphone providers to charge the prevailing local coin rate for each four minute increment of local calling with the exception of payphones located in low income

areas.

Pay-Tel states that it believes the public interest consideration existing in Docket No. 94-473-C would also exist in the instant docket. Also, Pay-Tel states that gathering the evidence necessary to demonstrate the economic patterns of the parties in the present docket has proven to be a complicated task and that additional time is needed in order to complete the project. Consequently, Pay-Tel requests the Commission to allow it to withdraw its Application creating this docket and to close the docket without prejudice. Pay-Tel agrees that it will initiate any further proceedings by filing the appropriate Application and re-noticing the matter to the public. Pay-Tel notes that Southern Bell is the only Intervenor in the present docket and that Pay-Tel has been informed by Southern Bell that it has no objection to the relief requested by Pay-Tel in the present Motion. The Commission has examined this matter and believes that the relief requested by Pay-Tel should be granted based on the difficulties that Pay-Tel is having in gathering the evidence necessary to demonstrate economic patterns.

IT IS THEREFORE ORDERED THAT:

1. The Motion to Withdraw filed by Pay-Tel is hereby granted.
2. That this docket is closed without prejudice to the rights of any party to reinstitute a similar proceeding at such time as appropriate.

3. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)